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EXAMINER

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ART UNIT PAPER NUMBER

2623

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/744,281	Applicant(s) AGASSE, BERNARD	
	Examiner Farzana E. Hossain	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-20, 22, 23, 27-39, 51-68, 76-87, 101-119, 121, 122, 124, 125, 127-129, 131-133, 135-137, 139, 140 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are 1-20,22,23,27-39,51-68,76-87,101-119,121,122,124,125,127-129,131-133,135-137,139 and 140.

DETAILED ACTION

Response to Amendment

1. This action is in response to communications filed 02-22-06. Claims 1, 17, 30, 65, 114 are amended. Claims 21, 24-26, 40-50, 69-75, 88-100, 120, 123, 126, 130, 134, 138 are cancelled. Claims 2-16, 18-20, 22, 23, 27-29, 31-39, 51-64, 66-68, 76-87, 101-113, 115-119, 121, 122, 124, 125, 127-129, 131-133, 135-137, and 139-140 are original.

Response to Arguments

2. Applicant's arguments filed 02-01-06 have been fully considered but they are not persuasive. In regards to arguments on page 21-22 for claims 1 and 51, Townsend discloses a decoder with a conditional access control circuit, which cooperates with a smartcard to determine if a viewer, has access to the channel provided (Page 11, lines 9-14). Microsoft Computer Dictionary 5th edition defines encryption as the process of encoding data to prevent unauthorized access, especially during transmission. Encryption is usually based on one or more keys or code that are essential for decoding or returning data to readable form. The dictionary defines a scrambler as a device that reorders a signal sequence in order to render it indecipherable. Townsend disclosed that the program is scrambled to prevent unauthorized access (Page 11, paragraph 7-9). It is necessarily included that the scrambling prevents full audio and visual access by the user. Townsend discloses if the viewer is authorized, which reads on full audio

and video access as that the signals will be descrambled by authorized subscribers (Page 11, lines 16-19, Figure 2, 16, 17).

Claims 1 and 51 recite that the decoder has means for "receiving access rights to one of a programme and a channel and means for prohibiting the full audio and visual access."

Townsend discloses prohibiting the full audio and visual access to a program.

3. In response to arguments on page 22 regarding claims 12 and 60, the applicant states that the claims recite attributes of the cursor (color, size, shape, etc) are changeable depending on characteristics of the program. The specification discloses that in one embodiment the attribute of the cursor include changing means, which include color, shape, etc. However, the specification also discloses *"decoder may comprise means for changing an attribute of the cursor depending on a character of at least one programme and channel depending on a character of at least one of the programme and channel displayed in a window over which cursor is positioned. This characteristic may comprise for example, the rating... of the program, the subject matter... of the programme," "programs and/or channels may be grouped according to a user's selections, for example, of favorite channels"* (Page 5, line 29-33, Page 6, lines 1-8). Therefore, Nijima discloses the changing of an attribute of at least one of a program and a channel displayed in a window, which the cursor is positioned, which includes subject matter and favorite channels (Figure 25 and Figure 26).

4. In regards to arguments on page 23, in regards to claims 17 and 65, which are amended, based on claims 18 and 66. The Office indicates that the communicating with a communications center to obtain information regarding the program displayed in

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the desired window (Figure 27, 311, Figure 28, 323 instead of Figure 7, 311, Figure 8, 323). Figure 8, 323 is a transmission section transmitting or communicating back to the cable network to a processing section prior to the video server (Figure 7, 302), the processing section provides information about the video as disclosed in the claim "means for communicating with a communication centre to obtain said information regarding the programme displayed in the desired window." The claim discloses that the decoder has a means to communicate with a communication center to obtain data about the program. Nijima also discloses that the user can select and program and transmit to the communications center the request for information about the program or the program, the audio of the program regarding the program displayed in the desired window, data of a program (Column 32, lines 55-67, Column 33, lines 1-29). Also applies to Claim 66.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-4, 28, 30, 35, 36, 51-53, 76, 78, 83, 84, 139 are rejected under 35 U.S.C. 102(b) as being anticipated by Townsend et al (WO 96/37996 and hereafter referred to as "Townsend").

Regarding Claims 1 and 51, Townsend discloses a decoder and a method for controlling the display of a plurality of digital television (TV) channels in respective windows of a mosaic formation (Figure 11), the decoder comprising means for receiving access rights to one of a program and a channel (Page 11, lines 10-19), means for prohibiting full audio and visual access by the user to the one of program and a channel (Page 11, lines 10-19) when displayed in the window according to the received access rights or the video of the program on the mosaic can be blocked as restricted access information is blocked by the conditional access circuit (Page 32, lines 12-13, Figure 11).

Regarding Claims 2 and 52, Townsend discloses all the limitations of Claims 1 and 51 respectively. Townsend discloses that receiving access rights data together with audiovisual data for creating a mosaic or audiovisual data or programs are usual scrambled to prevent unauthorized subscribers from gaining access (Page 11, lines 7-9).

Regarding Claim 3, Townsend discloses all the limitations of Claim 2. Townsend discloses means for issuing a request for full audio and visual access to a program displayed in the window (Figure 11, Figure 12).

Regarding Claim 4, 53 and 139, Townsend discloses all the limitations of Claims 1, 51 and 3 respectively. Townsend discloses a means for generating a cursor for display with mosaic information (Figure 11, F, Page 38, lines 9-11), the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figure 11, Page 38, lines 9-11).

Regarding Claims 28 and 76, Townsend discloses all the limitations of Claim 1 and 51 respectively. Townsend disclose that the receiving means is adapted to receive a PIN number from the remote control handset associated with the decoder (Page 39, lines 8-15).

Regarding Claims 30 and 78, Townsend discloses all the limitations of Claim 1 and 51 respectively. Townsend discloses means for prohibiting the generation of video information in dependence on the access rights to a program or channel or the video of the program on the mosaic can be blocked as restricted access information is blocked by the conditional access circuit (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11).

Regarding Claims 35 and 83, Townsend discloses all the limitations of Claim 30 and 78 respectively. Townsend discloses means for controlling the display of further video information instead of video information (Figure 11).

Regarding Claims 36 and 84, Townsend discloses all the limitations of Claim 35 and 83 respectively. Townsend discloses that the further video information is promotional video information (Figure 11 and Figure 12).

7. Claims 12, 17, 60, 63-66, 107, 108, 124, 125, 128, 129, 132, 133 are rejected under 35 U.S.C. 102(e) as being anticipated by Nijima et al (US 5,903,314 and hereafter referred to as "Nijima").

Regarding Claims 12 and 60, Nijima discloses a decoder and a method (Figure 8, 2) for controlling the display of digital TV channels in respective windows of a mosaic formation (Column 2, lines 49-57, Figure 8, Figure 28, Figure 5, Figure 7), the decoder comprising means for generating a cursor for display with the mosaic formation and the cursor being movable to select a desired channel within the mosaic formation (Figure 5, 201, Figure 20, 201) and means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned (Figure 25 and Figure 26).

Regarding Claims 17 and 65, Nijima discloses a decoder and a method (Figure 8, 2) for controlling the display of digital TV channels in respective windows of a mosaic formation (Column 2, lines 49-57, Figure 8, Figure 28, Figure 5, Figure 7, Figure 11), the decoder comprising means for generating a cursor for display with the mosaic formation (Figure 5, 201, Figure 20, 201), the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figure 5, 201, Figure 20, 201), and means for generating a display

comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23). Niijima discloses that the user can select and program and transmit to the communications center the request for information about the program or the program, the audio of the program regarding the program displayed in the desired window, data of a program (Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure 28, 311, 323).

Regarding Claim 63, Niijima discloses all the limitations of Claim 60. Niijima discloses means for tuning the decoder to a channel displayed in the desired window upon selection of the desired window (Figure 5, Figure 7).

Regarding Claim 64, Niijima discloses all the limitations of Claim 60. Niijima means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23).

Regarding claim 66, Niijima discloses all the limitations of Claim 64. Niijima discloses communicating with a communications center to obtain the information regarding the program displayed in the desired window (Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure 28, 323).

Regarding Claims 107, 108, 124 and 125, Niijima discloses all the limitations of Claims 12, 17, 60, and 65 respectively. Niijima discloses positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

Regarding Claim 128 and 129, Niijima discloses all the limitations of Claims 124 and 125 respectively. Niijima discloses positional control means for controlling the

relative positions of the windows in response to received window positioning data for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

Regarding Claims 132 and 133, Nijima discloses all the limitations of Claims 124 and 125 respectively. Nijima discloses that relative positions of windows of the mosaic formation are controlled according to a program characteristic of programs normally shown on the channels displayed in the windows (Figure 25 and Figure 26).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 62, 68, 115, 117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nijima in view of Young et al (US 5,809,204 and hereafter referred to as "Young").

Regarding Claim 62, Nijima discloses all the limitations of Claim 60. Nijima discloses selecting programs and the most often selected programs are assigned favorite (Figure 25 and Figure 26). Nijima are silent on assign the characteristic from a remote control handset associated with the decoder and means for assigning the characteristic in response to the received data. Young discloses means for receiving

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data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nijima to include means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

Regarding Claim 68, Nijima discloses all the limitations of Claim 60. Nijima is silent on the means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window upon selection upon selection of the desired window. Young discloses a means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window upon selection upon selection of the desired window or a displaying of forthcoming program schedule for the channel displayed in the desired window or cell (Figure 7, 58).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nijima to include means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window upon selection upon selection of the desired window (Figure 7, 58) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

Regarding Claim 115, Nijima and Young disclose all the limitations of Claim 68. Nijima discloses that program schedule can comprise textual display of program schedule information (Column 35, lines 57-62). Young discloses the forthcoming schedule and the textual display of program schedule information (Figure 7).

Regarding Claim 117, Nijima and Young disclose all the limitations of Claim 68 respectively. Nijima discloses that program schedule comprises pictorial images associated with programs (Figure 5, 7). Young discloses the forthcoming schedule (Figure 7).

10. Claims 5-8, 54-56, 140 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Lawler et al (US 5,758,259).

Regarding Claims 5 and 54, Townsend discloses all the limitations of Claim 4 and 53 respectively. Townsend does not disclose means for generating audio. Lawler discloses a means for generating audio information (or video clip with audio information) (Column 5, lines 8-19) associated with a particular channel in response to the positioning of a cursor over the window displaying the particular channel (Figure 3A, 96, Figure 3B, 96 Figure 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means for generating audio information (Column 5, lines 8-19) associated with a particular channel in response to the positioning of a cursor over the window displaying the particular channel (Figure 3A, 96, Figure 3B, 96 Figure 4) as taught by Lawler in order to allow the user to easily find a desired program (Column 1, lines 24-34) as disclosed by Lawler.

Regarding Claims 6 and 55, Townsend discloses all the limitations of Claim 5 and 54 respectively. Townsend discloses that PPV or other conditional access programs is prohibited, which includes audio according to received access rights (Page 11, lines 7-19).

Regarding Claims 7 and 56, Townsend discloses all the limitations of Claim 6 and 55 respectively. Townsend and Lawler are silent on audio information generation is prohibited if cursor is position over window longer than predetermined length of time. Lawler discloses that a video clip including audio is displayed with respect to a selection or highlighted cell (Figures 5, 6, 7). It is obvious that once the video clip or segment is played or previewed that the clip will stop or the prohibiting means will prohibit the generation of audio information after the predetermined length of time.

Regarding Claims 8 and 140, Townsend discloses all the limitations of Claim 3 and 139 respectively. Townsend is silent on issuing means to issue request. Lawler discloses issuing means is arranged automatically to issue the request when the cursor has been positioned over the window for a predetermined period of time (Figures 3A, 3B, 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include issuing means is arranged automatically to issue the request when the cursor has been positioned over the window for a predetermined period of time (Figures 3A, 3B, 4) as taught by Lawler in order to allow the user to easily find a desired program (Column 1, lines 24-34) as disclosed by Lawler.

11. Claims 9, 10, 57, 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Berstis et al (US 5,874,936 and hereafter referred to as "Berstis").

Regarding Claims 9 and 57, Townsend discloses all the limitations of Claims 4 and 53 respectively. Townsend discloses that unauthorized channels cannot be accessed (Page 11, lines 10-19). Townsend and Lawler are silent on means for automatically re-positioning the cursor in the event that the cursor is placed over the window displaying a program or channel to which full audio and visual access is prohibited. Berstis discloses means for automatically re-positioning the cursor in the event that the cursor is placed over the window that is not active or not accessible (Column 3, lines 5-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means for automatically re-positioning the cursor in the event that the cursor is placed over the window that is not active (Column 3, lines 5-33) as taught by Berstis in order to allow the user to navigate through multiple open windows for convenience to the user (Column 1, lines 21-60 as disclosed by Berstis).

Regarding Claims 10 and 58, Townsend and Berstis disclose all the limitations of Claims 9 and 58 respectively. Townsend discloses scanning through the program guide (Figure 11). Berstis discloses repositioning the cursor after the expiration of a predetermined time or immediately (Column 3, lines 5-33).

12. Claims 11, 13, 15, 16, 18, 19, 31, 33, 38, 39, 59, 79, 86, 87, 111, 112, 127, 131 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Nijima.

Regarding Claims 11 and 59, Townsend discloses all the limitations of Claims 4 and 53 respectively. Townsend is silent on means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned. Nijima discloses means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned (Figure 25 and Figure 26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned (Figure 25 and Figure 26) as taught by Nijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Nijima.

Regarding Claim 13, Townsend and Nijima discloses all the limitations of Claim 11. Townsend discloses that moving around the PPV screen via a highlight which is user selecting the program via a changed color (Page 38, line 10). Nijima discloses changing the attributes (Figures 25, 26).

Regarding Claims 15 and 111, Townsend discloses all the limitations of Claim 4, and 53 respectively. Townsend is silent on means for tuning the decoder to a channel

displayed in the desired window upon selection of the desired window. Nijima discloses means for tuning the decoder to a channel displayed in the desired window upon selection of the desired window (Figure 5, Figure 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means for tuning the decoder to a channel displayed in the desired window upon selection of the desired window (Figure 5, Figure 7) as taught by Nijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Nijima.

Regarding Claims 16 and 112, Townsend discloses all the limitations of Claim 4 and 53 respectively. Townsend is silent on means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window. Nijima means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23) as taught by Nijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Nijima.

Regarding Claim 18, Townsend and Nijima discloses all the limitations of Claim 16. Townsend discloses means for communicating with a communications center to

obtain the information regarding the program displayed in the desired window (Figure 1, 7, Figure 12).

Regarding Claim 19, Townsend and Nijima discloses all the limitations of Claim 18. Townsend discloses means for dialing up the communications center to supply a request for the information regarding the program displayed in the desired window (Figure 1, 7, Figure 12).

Regarding Claims 31 and 79, Townsend discloses all the limitations of Claims 30 and 78 respectively. Townsend is silent on a picture. Nijima discloses that a picture may be used instead of video information (Column 35, lines 57-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include that a picture may be used instead of video information (Column 35, lines 57-62) as taught by Nijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Nijima.

Regarding Claim 33, Townsend discloses all the limitations of Claim 30. Townsend is silent on an image. Nijima discloses that the picture can comprise still images or text (Column 35, lines 57-62). It is necessarily included that the image is associated with program displayed on the window.

Regarding Claims 38 and 86, Townsend discloses all the limitations of Claims 1 and 51 respectively. Townsend is does not explicitly disclose on positional control means. Nijima discloses positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-

67, Column 3, lines 1-14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14) as taught by Nijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Nijima.

Regarding Claims 39 and 87, Townsend discloses all the limitations of Claims 38 and 86 respectively. Townsend discloses that PPV programs or programs which need access rights (Page 39, lines 8-15) are have different relative positions than broadcast/satellite TV program guide (Figure 12). Townsend does not explicitly disclose positional control means. Nijima discloses positional control means is arranged to control the relative positions of the windows in response to groups, which include movies (Figure 25, 26) and video on demand (Figure 27 and 28), which are arranged by positional control means.

Regarding Claims 127, Townsend discloses all the limitations of Claim 86. Nijima discloses positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

Regarding Claims 131, Townsend discloses all the limitations of Claim 86. Townsend is silent on positional control means. Nijima discloses positional control means for controlling the relative positions of the windows in response to received window positioning data for controlling the relative positions of the windows with the

mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

13. Claims 14, 110 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Nijima as applied to claim 11, 60, 59 above, and further in view of Young.

Regarding Claim 14 and 110, Townsend and Nijima disclose all the limitations of Claim 11 and 59 respectively. Nijima discloses selecting programs and the most often selected programs are assigned favorite (Figure 25 and Figure 26). Townsend and Nijima are silent on assign the characteristic from a remote control handset associated with the decoder and means for assigning the characteristic in response to the received data. Young discloses means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Nijima to include means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

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14. Claims 20, 22, 23, 27, 103, 113, 114, 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Young.

Regarding Claims 20 and 113, Townsend discloses all the limitations of Claim 4 and 53 respectively Townsend is silent on means for generating a display comprising a schedule with forthcoming programs of at least one digital TV channel in respective windows. Young discloses a means for generating a display comprising a schedule with forthcoming programs of at least one digital TV channel in respective windows or a displaying of forthcoming program schedule for the channel displayed in the desired window or cell (Figure 7, 58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window upon selection upon selection of the desired window (Figure 7, 58) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

Regarding Claims 22 and 114, Townsend and Young discloses all the limitations of Claims 20 and 53 (or Claim 113 see Claim 112 rejection) respectively. Townsend discloses that program guide display can be mosaic or textual display of program schedule information. Young discloses that the forthcoming program schedule which is in a textual display (Figure 7).

Regarding Claims 23 and 116, Townsend and Young discloses all the limitations of Claims 20 and 53 (or Claim 113 see Claim 112 rejection) respectively. Townsend discloses that program guide display can be mosaic or textual display of program

schedule information. Young discloses that the forthcoming program schedule (Figure 7).

Regarding Claim 27, Townsend and Young disclose all the limitations of Claim 20. Townsend discloses that the plurality of pictorial images comprises video footage (Figure 11). Young discloses the forthcoming program (Figure 7).

Regarding Claim 103, Townsend and Young disclose all the limitations of Claim 20. Townsend discloses means for prohibiting the generation of video information in dependence on the access rights to a program or channel or the video of the program on the mosaic can be blocked as restricted access information is blocked by the conditional access circuit (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11).

15. Claims 32, 80, 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Nijima as applied to claims 31 and 79 respectively above, and further in view of Morales (US 5,663,757).

Regarding Claims 32 and 80, Townsend and Nijima disclose all the limitations of Claims 31 and 79. Townsend and Nijima are silent on logos of channels. Morales discloses that a picture comprise a logo associated with a channel displayed in the window (Figure 3, 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Nijima to include a picture comprising a logo associated with a channel displayed in the window (Figure 3, 10) as taught by Morales in order to provide the user with easier channel

selection as the TV networks may have different channels in area counties or an out of town visitor in a hotel (Column 5, lines 10-25) as disclosed by Morales.

Regarding Claim 81, Townsend discloses all the limitations of Claim 80.

Townsend is silent on an image. Nijima discloses that the picture can comprise still images or text (Column 35, lines 57-62). It is necessarily included that the image is associated with program displayed on the window.

16. Claims 29 and 77 rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Florin et al (US 5,594,509 and hereafter referred to as "Florin").

Regarding Claims 29 and 77, Townsend discloses all the limitations of Claims 28 and 76 respectively. Townsend disclose that the receiving means is adapted to receive a PIN number from the remote control handset associated with the decoder (Page 39, lines 8-15). Townsend does not explicitly disclose authenticating the PIN number. Florin discloses a confirmation or authenticating the received PIN number to permit reception of access rights (Figure 41). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include authenticating the received PIN number to permit reception of access rights (Figure 41) as taught by Florin in order to provide improve the user interface for selecting and displaying TV programs (Column 2, lines 36-40) as disclosed by Florin.

17. Claims 34, 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Balakrishnan et al (US 2001/0052135 and hereafter referred to as "Balak").

Regarding Claims 34 and 82, Townsend discloses all the limitations of Claim 30 and 78 respectively. Townsend is silent on an advertisement. Balak discloses that advertisements can be seen in a mosaic formation (Page 2, paragraph 0018).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include means for controlling the display of an advertisement in the window instead of a video information (Page 2, paragraph 18) as taught by Balak in order to provide users target commercials of their own choosing (Page 1, paragraphs 0001-0003) as disclosed by Balak.

18. Claims 37 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Kahn (US 5,978,649).

Regarding Claim 37 and 85, Townsend discloses all the limitations of Claims 1 and 85 respectively. Townsend is silent on generating a message due to lack of access rights when a cursor is on a channel. Kahn discloses means to generating message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means to generating a message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG

(Column 7, lines 42-56) as taught by Kahn in order to control channel authorization in case such as PPV channels (Column 1, lines 26-31) as disclosed by Kahn.

19. Claims 61, 67, 101, 102, 118, 119 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nijima in view of Townsend.

Regarding Claim 61, Nijima discloses all the limitations of Claim 59. Nijima is silent on changing colors. Townsend discloses that moving around the mosaic via a highlight which is user selecting the program via a changed color (Page 38, line 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nijima to include moving around the mosaic via a highlight which is user selecting the program via a changed color (Page 38, line 10) as taught by Townsend in order to provide the user with television programming, program schedules and PPV on the same carrier channel and thus becoming more efficient (Page 4, lines 12-23) as disclosed by Townsend.

Regarding Claim 67, Nijima discloses all the limitations of Claim 66. Nijima discloses communicating with a communications center (Figure 7, 311, figure 8, 323). Nijima is silent on dialing up the communications center. Townsend discloses means for dialing up the communications center to supply a request for the information regarding the program displayed in the desired window (Figure 1, 7, Figure 12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nijima to include a means for dialing up the communications center to supply a request for the information regarding the program

displayed in the desired window (Figure 1, 7, Figure 12) as taught by Townsend in order to provide the user with television programming, program schedules and PPV on the same carrier channel and thus becoming more efficient (Page 4, lines 12-23) as disclosed by Townsend.

Regarding Claims 101, 102, 118, 119, Niijima discloses all the limitations of Claims 12, 17, 60, and 65 respectively. Niijima discloses that a conditional access module, but is silent pm the access rights. Townsend discloses means for prohibiting the generation of video information in dependence on the access rights to a program or channel or the video of the program on the mosaic can be blocked as restricted access information is blocked by the conditional access circuit (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to include a means for prohibiting the generation of video information in dependence on the access rights to a program or channel (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11) as taught by Townsend in order to provide the user with television programming, program schedules and PPV on the same carrier channel and thus becoming more efficient (Page 4, lines 12-23) as disclosed by Townsend.

20. Claims 136, 137 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima in view of Florin.

Regarding Claims 136, 137, Niijima discloses all the limitations of Claims 43, 91, 124, and 125 respectively. Niijima is silent on a window in constant position. Florin

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discloses a positional control means is arranged to maintain a window displaying a particular channel and program in a constant position in the mosaic formation (Figures 27-29, 365, Figure 30, 325). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to include a positional control means is arranged to maintain a window displaying a particular channel and program in a constant position in the mosaic formation (Figures 27-29, 365, Figure 30, 325) as taught by Florin in order to provide improve the user interface for selecting and displaying TV programs (Column 2, lines 36-40)) as disclosed by Florin.

21. Claims 104, 105, 121, 122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima in view of Kahn.

Regarding Claims 104, 105, 121, and 122, Niijima discloses all the limitations of Claims 12, 17, 60 and 65 respectively. Niijima is silent on means to generating message information a user of the access rights of a channel in the event of placing a cursor. Kahn discloses means to generating message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to include a means to generating a message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56) as taught by Kahn in order to

control channel authorization in case such as PPV channels (Column 1, lines 26-31) as disclosed by Kahn.

22. Claim 106 is rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Young as applied to claim 20 above, and further in view of Kahn.

Regarding Claim 106, Townsend and Young disclose all the limitations of Claim 20. Townsend and Young are silent on generating a message due to lack of access rights when a cursor is on a channel. Kahn discloses means to generating message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Young to include a means to generating a message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56) as taught by Kahn in order to control channel authorization in case such as PPV channels (Column 1, lines 26-31) as disclosed by Kahn.

23. Claim 109 is rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Young as applied to claim 20 above, and further in view of Nijima.

Regarding Claim 109, Townsend discloses all the limitations of Claim 20. Townsend does not explicitly disclose on positional control means. Nijima discloses positional control means for controlling the relative positions of the windows with the

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mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Young to include positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14) as taught by Nijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Nijima.

24. Claim 135 is rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Nijima as applied to claim 86 above, and further in view of Florin.

Regarding Claim 135, Nijima discloses all the limitations of Claims 86.

Townsend and Nijima are silent on a window in constant position. Florin discloses a positional control means is arranged to maintain a window displaying a particular channel and program in a constant position in the mosaic formation (Figures 27-29, 365, Figure 30, 325). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Nijima to include a positional control means is arranged to maintain a window displaying a particular channel and program in a constant position in the mosaic formation (Figures 27-29, 365, Figure 30, 325) as taught by Florin in order to provide improve the user interface for selecting and displaying TV programs (Column 2, lines 36-40)) as disclosed by Florin.

Conclusion

25. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

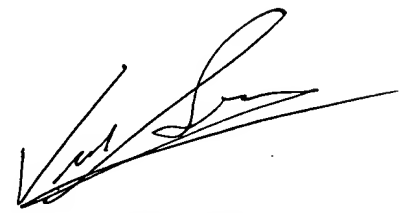
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FEH
March 20, 2006

A handwritten signature in black ink, appearing to read 'Vivek Srivastava', with a long horizontal flourish extending to the right.

VIVEK SRIVASTAVA
PRIMARY EXAMINER